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10 *Attorneys for Defendant Executive Risk Specialty*
11 *Insurance Company*

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA

14
15 LENSRAFTERS, INC., and EYEXAM OF
CALIFORNIA, INC.,

16 Plaintiffs,

17 v.

18 LIBERTY MUTUAL FIRE INSURANCE
19 COMPANY; EXECUTIVE RISK SPECIALTY
20 INSURANCE COMPANY; UNITED STATES
FIRE INSURANCE COMPANY; MARKEL
21 AMERICAN INSURANCE COMPANY and
WESTCHESTER FIRE INSURANCE
22 COMPANY,

23 Defendants.

24 AND RELATED CROSS ACTIONS

No. C07-02853 SBA

[Related Case No. C 04-01001 SBA]

**STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING TIME FOR
DEFENDANT EXECUTIVE RISK
SPECIALTY INSURANCE COMPANY
TO RESPOND TO FIRST AMENDED
COMPLAINT**

25 WHEREAS, pursuant to Fed. R. Civ. P. 15(a) and this Court's September 28, 2007 Order,
26 ERSIC's response to the First Amended Complaint is due October 12, 2007;

27 WHEREAS, ERSIC has requested and Plaintiffs have agreed to a 7-day extension of time
28 for ERSIC to answer or otherwise respond to the First Amended Complaint;

1 NOW THEREFORE, the Parties hereby STIPULATE to and REQUEST that the Court
2 grant an extension of time, to and including October 19, 2007, for ERSIC to answer or otherwise
3 respond to the First Amended Complaint.

4 Date: October 12, 2007

Respectfully submitted,

ROSS, DIXON & BELL, LLP

7 /s/ Terrence R. McInnis
8 Terrence R. McInnis

9 and

10 Monique M. Fuentes
Siavash Daniel Rashtian

11 *Attorneys for Defendant Executive Risk*
12 *Specialty Insurance Company*

13 HELLER EHRMAN WHITE & McAULIFFE, LLP

14 /s/ Richard DeNatale
15 Richard DeNatale

16 and

17 Celia M. Jackson
18 *Attorneys for Plaintiffs LensCrafters, Inc. and*
19 *EYEXAM of California, Inc.*

20 **IT IS SO ORDERED:**

21 Date: October 16, 2007

22 *Saundra B. Armstrong*
23 Hon. Saundra Brown Armstrong
24 United States District Court Judge
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